

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

In Re: **Joseph Martin Thomas,** : Bankruptcy No. **20-10334 TPA**
Debtor. :
 :
Joseph Martin Thomas, : Chapter **11**
Movant, :
 :
v. : Related to Document No. **1**
 :
No Respondent. :
 :

AMENDMENT COVER SHEET

Amendment(s) to the following petition, list(s), schedule(s) or statement(s) are transmitted herewith:

☐ Voluntary Petition - *Specify reason for amendment:*

☐ Official Form 6 Schedules (Itemization of Changes Must Be Specified)

☐ Summary of Schedules

☐ Schedule A - Real Property

☐ Schedule B - Personal Property

☐ Schedule C - Property Claimed as Exempt

☐ Schedule D - Creditors holding Secured Claims

Check one:

☐ Creditor(s) added

☐ NO Creditor(s) added

☐ Creditor(s) deleted

☐ Schedule E - Creditors Holding Unsecured Priority Claims

Check one:

☐ Creditor(s) added

☐ NO Creditor(s) added

☐ Creditor(s) deleted

☐ Schedule F - Creditors Holding Unsecured Nonpriority Claims

Check one:

☐ Creditor(s) added

☐ NO Creditor(s) added

☐ Creditor(s) deleted

☐ Schedule G - Executory Contracts and Unexpired Leases

Check one:

☐ Creditor(s) added

☐ NO Creditor(s) added

☐ Creditor(s) deleted

☐ Schedule H - Codebtors

☐ Schedule I - Current Income of Individual Debtor(s)

☐ Schedule J - Current Expenditures of Individual Debtor(s)

☐ Statement of Financial Affairs

☐ Chapter 7 Individual Debtor's Statement of Intention

☐ Chapter 11 List of Equity Security Holders

☒ Chapter 11 List of Creditors Holding 20 Largest Unsecured Claims

☐ Disclosure of Compensation of Attorney for Debtor

☐ Other: _____

NOTICE OF AMENDMENT(S) TO AFFECTED PARTIES

Pursuant to Fed.R.Bankr.P. 1009(a) and Local Rule 1009-1, I certify that notice of the filing of the amendment(s) checked above has been given this date to the U.S. Trustee, the trustee in this case, and to entities affected by the amendment as follows:

The following parties received notification via the CM/ECF System and will not receive a paper copy of the filing:

Office of the United States Trustee; ustpregion@usdoj.gov
Michael F.J. Romano, Esquire (TIAA Commercial Finance, Inc.); mromano@rgalegal.com
Norma Hildenbrand, Esquire (Office of the U.S. Trustee); Norma.L.Hildenbrand@usdoj.gov
Guy C. Fustine (Official Committee of Unsecured Creditors/Tri-State Pain Institute LLC); mwernick@kmgslaw.com
James Warmbrodt, Esquire (PNC Bank, National Association); bkggroup@kmlawgroup.com

Largest 20 Unsecured Creditors:

MacDonald Illig 100 State Street Suite 700 Erie, PA 16507	Barclay Card Card Services P.O. Box 13337 Philadelphia, PA 19101-3337
Brian S. Clark Beth Clark 10479 Route 19 Waterford, PA 16441	Candor Surgical Management, Inc. 4950 N. OConnor Road Suite 203 Irving, TX 75062
Darin Williamson 22370 Britton Road Spartansburg, PA 16434	Ernest Guichard 9 Church Street Charlotte Villa 2, Apt. 503 Sinclairville, NY 14782
Frederick J. Marchinetti, II 11538 Route 19 Waterford, PA 16441	Harold Hewitt, Esquire 5935 Shady Hollow Drive Erie, PA 16506
Internal Revenue Service ATTN: Centralized Insolvency Operations P.O. Box 7346 Philadelphia, PA 19101-7346	Kelly S. Buck Scott A. Buck 3101 Broadlawn Drive Erie, PA 16506
Lester Spencer Chris Spencer 337 East 21st Street Erie, PA 16503	Marjorie A. Weidner 20323 State Highway 89 Spartansburg, PA 16434
Pa. Dept. of Revenue Dept. 280946 Harrisburg, PA 17128-0946 (One claim removed from List of Largest 20 Unsecured Creditors)	Rita Jennings George Jennings 5524 West 52nd Street Fairview, PA 16415
Sharon L. Kulig Steven B. Kulig 10 Hunter Street Jamestown, NY 14701	Steven Kinross Kathy Kinross 507 Sanford Place Erie, PA 16511

TIAA Commercial Finance, Inc. 390 S. Woods Mill Road Suite 300 Chesterfield, MO 63017	Wells Fargo Bank, N.A. 4101 Wiseman Blvd. Building 307 San Antonio, TX 78251
Widget Federal Credit Union 2154 East Lake Road Erie, PA 16511	Small Business Administration ATTENTION: Anthony K. Arroyo, Esquire 660 American Avenue, Suite 301 King of Prussia, PA 19406
United States Attorney's Office Western District of Pennsylvania ATTENTION: Civil Process Clerk Joseph F. Weis, Jr. U.S. Courthouse 700 Grant Street Suite 4000 Pittsburgh, PA 15219	Attorney General of Pennsylvania Western Regional Office 1251 Waterfront Place Mezzanine Level Pittsburgh, PA 15222

The following creditor was also served, as its claim was removed from the List of Largest 20 Unsecured Creditors:

Ally Bank P.O. Box 380901 Bloomington, MN 55438	
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Date May 21, 2020

/s/Michael P. Kruszewski
Attorney for Debtor(s) [or *pro se* Debtor(s)]

Michael P. Kruszewski, Esquire 91239
(Typed Name)

2222 West Grandview Boulevard
Erie, PA 16506
(Address)

(814)833-2222
(Phone No.)

91239 PA
List Bar I.D. and State of Admission

Note: An amended matrix of creditors added by the amendment must be submitted on disk with the amendment. Attorneys filing electronically on the Case Management/Electronic Case Filing System may add creditors to the case electronically.

Debtor 1	<u>Joseph Martin Thomas</u>		
	First Name	Middle Name	Last Name
Debtor 2			
(Spouse if, filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>WESTERN DISTRICT OF PENNSYLVANIA</u>		
Case number	<u>20-10334 TPA</u>		
(if known)			

B 104

12/15

Part 1: List the 20 Unsecured Claims in Order from Largest to Smallest. Do Not Include Claims by Insiders.

1

Credit Card
Purchases/Barclays
American Airlines
MasterCard

2

Professional Liability Lawsuit

Does the creditor have a lien on your property?

Debtor 1 Joseph Martin Thomas Case number (if known) 20-10334 TPA

Peter A. Pentz, Esquire

petep@pentzlaw.com

Contact

(814)651-0695

Contact phone

☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

3

Candor Surgical Management, Inc.
1180 Adams Lane
Southlake, TX 76092

info@candorhealthcare.com

Contact

(817)421-5500

Contact phone

What is the nature of the claim? Promissory Note \$ \$1,109,464.24

As of the date you file, the claim is: Check all that apply

☐ Contingent
☐ Unliquidated
☐ Disputed
☒ None of the above apply

Does the creditor have a lien on your property?

☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

4

Darin Williamson
22370 Britton Road
Spartansburg, PA 16434

Philip C. Chapman, Esquire

phil@pribanic.com

Contact

(412)281-8844

Contact phone

What is the nature of the claim? Professional Liability Lawsuit \$ \$50,000.00

As of the date you file, the claim is: Check all that apply

☒ Contingent
☒ Unliquidated
☒ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

5

Ernest Guichard
9 Church Street
Charlotte Villa 2, Apt. 503
Sinclairville, NY 14782

Jason M. Telaak, Esquire

jtelaak@campbellassociateslaw.

What is the nature of the claim? Professional Liability Lawsuit \$ \$50,000.00

As of the date you file, the claim is: Check all that apply

☒ Contingent
☒ Unliquidated
☒ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

☒ No

Debtor 1 Joseph Martin Thomas Case number (if known) 20-10334 TPA

com

Contact

(716)992-2222

Contact phone

☐ Yes. Total claim (secured and unsecured) \$ _____

Value of security: - \$ _____

Unsecured claim \$ _____

6

Frederick J. Marchinetti, II
11538 Route 19
Waterford, PA 16441

L.C. TeWinkle, Esquire

ltewinkle@velocity.net

Contact

(814)454-1100

Contact phone

What is the nature of the claim? **Professional Liability** \$ **\$50,000.00**
Lawsuit

As of the date you file, the claim is: Check all that apply

- ☒ Contingent
- ☒ Unliquidated
- ☒ Disputed
- ☐ None of the above apply

Does the creditor have a lien on your property?

☒ No

☐ Yes. Total claim (secured and unsecured) \$ _____

Value of security: - \$ _____

Unsecured claim \$ _____

7

Harold Hewitt, Esquire
5935 Shady Hollow Drive
Erie, PA 16506

Paul J. Susko, Esquire

paul@ksslawfirm.com

Contact

(814)455-7612

Contact phone

What is the nature of the claim? **Professional Liability** \$ **\$50,000.00**
Lawsuit

As of the date you file, the claim is: Check all that apply

- ☒ Contingent
- ☒ Unliquidated
- ☒ Disputed
- ☐ None of the above apply

Does the creditor have a lien on your property?

☒ No

☐ Yes. Total claim (secured and unsecured) \$ _____

Value of security: - \$ _____

Unsecured claim \$ _____

8

Internal Revenue Service
ATTN: Centralized Insolvency
Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

Contact

What is the nature of the claim? **Estimated 2019 Tax** \$ **\$140,000.00**
Liability

As of the date you file, the claim is: Check all that apply

- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed
- ☒ None of the above apply

Does the creditor have a lien on your property?

☒ No

☐ Yes. Total claim (secured and unsecured) \$ _____

Debtor 1 Joseph Martin Thomas Case number (if known) 20-10334 TPA

Contact phone

Value of security:
Unsecured claim

- \$ _____
\$ _____

9

Kelly S. Buck
Scott A. Buck
3101 Broadlawn Drive
Erie, PA 16506

What is the nature of the claim?

Professional Liability \$ **\$50,000.00**
Lawsuit

As of the date you file, the claim is: Check all that apply

- ☒ Contingent
☒ Unliquidated
☒ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____

Value of security:
Unsecured claim

- \$ _____
\$ _____

L.C. TeWinkle, Esquire

ltewinkle@velocity.net

Contact

(814)454-1100

Contact phone

10

Lester Spencer
Chris Spencer
337 East 21st Street
Erie, PA 16503

What is the nature of the claim?

Professional Liability \$ **\$50,000.00**
Lawsuit

As of the date you file, the claim is: Check all that apply

- ☒ Contingent
☒ Unliquidated
☒ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____

Value of security:
Unsecured claim

- \$ _____
\$ _____

David L. Hunter, Jr., Esquire

dhunter@hunterlawerie.com

Contact

(814)452-4473

Contact phone

11

MacDonald Illig
100 State Street
Suite 700
Erie, PA 16507

What is the nature of the claim?

Legal Fees \$ **\$39,759.74**

As of the date you file, the claim is: Check all that apply

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☒ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____

Value of security:
Unsecured claim

- \$ _____
\$ _____

Contact

Contact phone

Debtor 1 **Joseph Martin Thomas**

Case number (if known) **20-10334 TPA**

12

Marjorie A. Weidner
20323 State Highway 89
Spartansburg, PA 16434

L.C. TeWinkle, Esquire

ltewinkle@velocity.net

Contact

(814)454-1100

Contact phone

What is the nature of the claim?

Professional Liability \$ **\$50,000.00**
Lawsuit

As of the date you file, the claim is: Check all that apply

- ☒ Contingent
☐ Unliquidated
☐ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

13

Pa. Dept. of Revenue
Dept. 280946
Harrisburg, PA 17128-0946

Contact

Contact phone

What is the nature of the claim?

Estimated 2019 Tax \$ **\$25,000.00**
Liability

As of the date you file, the claim is: Check all that apply

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☒ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

14

Rita Jennings
George Jennings
5524 West 52nd Street
Fairview, PA 16415

Jason Matzus, Esquire

jason@matzuslaw.com

Contact

(412)206-5300

Contact phone

What is the nature of the claim?

Professional Liability \$ **\$50,000.00**
Lawsuit

As of the date you file, the claim is: Check all that apply

- ☒ Contingent
☒ Unliquidated
☒ Disputed
☐ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

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Sharon L. Kulig

What is the nature of the claim?

Professional Liability \$ **\$50,000.00**
Lawsuit

Debtor 1 **Joseph Martin Thomas**

Case number (if known) **20-10334 TPA**

Steven B. Kulig
10 Hunter Street
Jamestown, NY 14701

As of the date you file, the claim is: Check all that apply

- ☒ Contingent
☒ Unliquidated
☒ Disputed
☐ None of the above apply

Francis M. Letro, Esquire

francis@letrolaw.com

Contact

(716)568-4768

Contact phone

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

16

Small Business Administration
an agency of the U.S.
Government
660 American Avenue, Suite 301
King of Prussia, PA 19406

What is the nature of the claim? **Personal Guarantee** \$ **\$2,461,784.00**

As of the date you file, the claim is: Check all that apply

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☒ None of the above apply

Anthony K. Arroyo, Esquire

anthony.arroyo@sba.gov

Contact

(610)382-3069

Contact phone

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

17

Steven Kinross
Kathy Kinross
507 Sanford Place
Erie, PA 16511

What is the nature of the claim? **Professional Liability** \$ **\$50,000.00**
Lawsuit

As of the date you file, the claim is: Check all that apply

- ☒ Contingent
☒ Unliquidated
☒ Disputed
☐ None of the above apply

David L. Hunter, Jr., Esquire

dhunter@hunterlawerie.com

Contact

(814)452-4473

Contact phone

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

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TIAA Commercial Finance, Inc.
390 S. Woods Mill Road
Suite 300
Chesterfield, MO 63017

What is the nature of the claim? **Personal Guaranty** \$ **\$1,706,000.00**

As of the date you file, the claim is: Check all that apply

- ☐ Contingent
☐ Unliquidated

Debtor 1 Joseph Martin Thomas Case number (if known) 20-10334 TPA

- ☐ Disputed
☒ None of the above apply

Michael F.J. Romano, Esquire

mromano@rgalegal.com

Contact

(856)384-1515

Contact phone

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

19

Wells Fargo Bank, N.A.
4101 Wiseman Blvd.
Building 307
San Antonio, TX 78251

Salene Mazur Kraemer, Esquire

skraemer@bernsteinlaw.com

Contact

(412)456-8100

Contact phone

What is the nature of the claim? Personal Guarantee \$ \$3,593,156.63

As of the date you file, the claim is: Check all that apply

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☒ None of the above apply

Does the creditor have a lien on your property?

- ☒ No
☐ Yes. Total claim (secured and unsecured) \$ _____
Value of security: - \$ _____
Unsecured claim \$ _____

20

Widget Federal Credit Union
2154 East Lake Road
Erie, PA 16511

info@widgetfinancial.com

Contact

(814)456-6231

Contact phone

What is the nature of the claim? 2017 Ford F-150 \$ \$25,735.23

The Debtor intends to
sell or surrender this
vehicle.

VIN
1FTEW1EF8HKD62536

As of the date you file, the claim is: Check all that apply

- ☐ Contingent
☐ Unliquidated
☐ Disputed
☒ None of the above apply

Does the creditor have a lien on your property?

- ☐ No
☒ Yes. Total claim (secured and unsecured) \$ \$49,335.23
Value of security: - \$ \$23,600.00
Unsecured claim \$ \$25,735.23

Part 2: Sign Below

Under penalty of perjury, I declare that the information provided in this form is true and correct.

X /s/ Joseph Martin Thomas
Joseph Martin Thomas

X _____
Signature of Debtor 2

Debtor 1 **Joseph Martin Thomas** Case number (if known) **20-10334 TPA**

Signature of Debtor 1

Date **May 21, 2020**

Date _____